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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)
14 Plaintiff,)
15 v.)
16 REAL PROPERTY AND)
17 IMPROVEMENTS AT 1220)
18 KENILWORTH ROAD,)
HILLSBOROUGH, CALIFORNIA,)
19 Defendant.)

Case No. C 06-4866 JSW

**STIPULATION AND [PROPOSED]
ORDER RE STAY OF ACTION**

20 IT IS HEREBY STIPULATED by and between plaintiff United States of America and
21 prospective claimants Johnson Mai and Lisa Lee, through undersigned counsel, that this action
22 be stayed pursuant to 21 U.S.C. § 881(j). Johnson Mai and Lisa Lee, who have filed or will file a
23 claim contesting the forfeiture of the defendant property, have been charged by a criminal
24 complaint with drug trafficking and money laundering offenses in the Northern District of
25 California. The underlying criminal activity alleged in the criminal complaint forms, in large
26 part, the basis for the forfeiture allegations in the government's complaint for forfeiture.
27 Consequently, the parties agree that a stay in the forfeiture proceeding is appropriate in order to
28 preserve Johnson Mail and Lisa Lee's right against self-incrimination in the related

1 criminal matter. The parties thus request that matter be stayed pending resolution of the related
2 criminal matter and that any pending deadlines or assigned dates also be stayed and vacated until
3 the resolution of the related criminal case.

4 Upon the resolution of the criminal case, the parties will notify the Court so that the forfeiture
5 matter may be set for further status. Alternatively, should the Court wish to set the matter for
6 status at this time, the parties request that the matter be set for status in approximately 6 months.
7

8 DATED: 09/27/06

/S/
9 STEPHANIE M. HINDS
Assistant United States Attorney

10 DATED: 09/27/06

/S/
11 ROBERT WAGGENER, ESQ
12 Attorney for Johnson Mai

13 DATED: 09/28/06

/S/
14 TONY TAMBURELLO, ESQ
15 Attorney for Lisa Lee

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18 IT IS HEREBY ORDERED:

19 Upon the stipulation of counsel, and good cause appearing, the above-entitled civil forfeiture
20 action is stayed in light of the pending related criminal prosecution of claimants Johnson Mai
21 and Lisa Lee. The parties are ordered to file a status report by March 30, 2007 advising the Court
22 of the status of the criminal proceedings and when the parties expect the stay may be lifted. The
23 parties shall continue to file further status reports every 120 days thereafter until the stay is lifted.
24 DATED: October 3, 2006

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28 JEFFREY S. WHITE
United States District Judge